

## CHILDREN AND FAMILIES GLOSSARY

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## Abuse

Abuse is the act of violation of an individual's human or civil rights. Any or all types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance. Different types of abuse include: Physical abuse, Neglect/acts of omission, Financial/material abuse, Psychological abuse, Sexual abuse, Institutional abuse, Discriminatory abuse, or any combination of these.

## Advocacy

Advocacy helps to safeguard children and young people, and protect them from harm and neglect. It is about speaking up for children and young people and ensuring their views and wishes are heard and acted upon by decision-makers. LAs have a duty under The Children Act to ensure that advocacy services are provided for children, young people and care leavers making or intending to make a complaint. It should also cover representations which are not complaints. Independent Reviewing Officers (IRO) should also provide a child/young person with information about advocacy services and offer help in obtaining an advocate.

## Agency Decision Maker

The Agency Decision Maker (ADM) is the person within a fostering service and an adoption agency who makes decisions on the basis of recommendations made by the Fostering Panel (in relation to a fostering service) and the Adoption Panel (in relation to an adoption agency). The Agency Decision Maker will take account of the Panel's recommendation before proceeding to make a decision. The Agency Decision Maker can choose to make a different decision.

The National Minimum Standards for Fostering 2011 provide that the Agency Decision Maker for a fostering service should be a senior person within the fostering service, who is a social worker with at least 3 years post-qualifying experience in childcare social work and has knowledge of childcare law and practice (Standard 23).

The National Minimum Standards for Adoption 2011 provide that the Agency Decision Maker for an adoption agency should be a senior person within the adoption agency, who is a social worker with at least 3 years post-qualifying experience in childcare social work and has knowledge of permanency planning for children, adoption and childcare law and practice. Where the adoption agency provides an inter country adoption service, the Agency Decision Maker should also have specialist knowledge of this area of law and practice. When determining the disclosure of Protected Information about adults, the Agency Decision Maker should also understand the legislation surrounding access to and disclosure of information and the impact of reunion on all parties (Standard 23).

## Assessment

Assessments are undertaken to determine the needs of individual children; what services to provide and action to take. They may be carried out:

- To gather important information about a child and family;
- To analyse their needs and/or the nature and level of any risk and harm being suffered by the child;
- To decide whether the child is a Child in Need (Section 17) and/or is suffering or likely to suffer Significant Harm (Section 47); and
- To provide support to address those needs to improve the child's outcomes to make them safe.

With effect from 15 April 2013, Working Together 2013 removes the requirement for separate **Initial Assessments** and **Core Assessments**. One Assessment – often called Single Assessment - may be undertaken instead.

## CAFCASS

**Children and Family Court Advisory and Support Service (CAFCASS)** is the Government agency responsible for Reporting Officers, Children's Guardians and other Court officers appointed by the Court in Court Proceedings involving children. Also appoints an officer to witness when a parent wishes to consent to a child's placement for adoption.

## Care Order

A Care Order can be made in Care Proceedings brought under section 31 of the Children Act if the Threshold Criteria are met. The Order grants Parental Responsibility for the child to the local authority specified in the Order, to be shared with the parents.

A **Care Order** lasts until the child is 18 unless discharged earlier. An **Adoption Order** automatically discharges the Care Order. A **Placement Order** automatically suspends the Care Order, but it will be reinstated if the Placement Order is subsequently revoked.

All children who are the subject of a Care Order come within the definition of Looked After and have to have a Care Plan. When making a Care Order, the Court must be satisfied that the Care Plan is suitable.

## Categories of Abuse or Neglect

Where a decision is made that a child requires a Child Protection Plan, the category of abuse or neglect must be specified by the Child Protection Conference Chair.

## Child in Need and Child in Need Plan

Under Section 17 (10) of the Children Act 1989, a child is a Child in Need (CiN) if:

- He/she is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority;
- His/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services; or
- He/she is disabled.

A **Child in Need Plan** should be drawn up for children who are not Looked After but are identified as Children in Need who requiring services to meet their needs. It should be completed following an Assessment where services are identified as necessary.

Under the Integrated Children's System, if a Child is subject to a Child Protection Plan, it is recorded as part of the Child in Need Plan.

The Child in Need Plan may also be used with children receiving short break care in conjunction with Part One of the Care Plan.

## Child Protection

The following definition is taken from Working Together to Safeguard Children 2010, paragraph 1.23.:

Child protection is a part of Safeguarding and Promoting the Welfare of Children. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, Significant Harm.

## Child Protection Conference

Child Protection Conferences (Initial – **ICPC** and review – **RCPC**) are convened where children are considered to be at risk of Significant Harm.

## Children's Centres

The government is establishing a network of children's centres, providing good quality childcare integrated with early learning, family support, health services, and support for parents wanting to return to work or training.

## Child Sexual Exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

## Corporate Parenting

In broad terms, as the corporate parent of looked after children, a local authority has a legal and moral duty to provide the kind of loyal support that any good parent would provide for their own children.

## Criteria for Child Protection Plans

Where a decision is made that a child requires a Child Protection Plan, the Conference Chair must ensure that the criteria for the decision are met, i.e. that the child is at continuing risk of Significant Harm.

## Director of Children's Services (DCS)

Every top tier local authority in England must appoint a Director of Children's Services under section 18 of the Children Act 2004. Directors are responsible for discharging local authority functions that relate to children in respect of education, social services and children leaving care. They are also responsible for discharging functions delegated to the local authority by any NHS body that relate to children, as well as some new functions conferred on authorities by the Act, such as the duty to safeguard and protect children, the Children and Young People's Plan, and the duty to co-operate to promote well-being.

## Designated Teacher

Schools should all appoint a Designated Teacher. This person's role is to co-ordinate policies, procedures and roles in relation to Child Protection and in relation to Looked After Children.

## Discretionary Leave to Remain

This is a limited permission granted to an Asylum Seeker, to stay in the UK for 3 years - it can then be extended or permission can then be sought to settle permanently.

## Duty of Care

In relation to workers in the social care sector, their duty of care is defined by the Social Care Institute for Excellence (SCIE) as a legal obligation to:

- Always act in the best interest of individuals and others;

- Not act or fail to act in a way that results in harm;
- Act within your competence and not take on anything you do not believe you can safely do.

### Early Help

Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years.

Effective early help relies upon local agencies working together to:

- Identify children and families who would benefit from early help;
- Undertake an assessment of the need for early help;
- Provide targeted early help services to address the assessed needs of a child and their family which focuses on activity to significantly improve the outcomes for the child.

Local authorities, under section 10 of the Children Act 2004, have a responsibility to promote inter-agency cooperation to improve the welfare of children.

### Every Child Matters

Every Child Matters is the approach to the well-being of children and young people from birth to age 19, which is incorporated into the Children Act 2004. The aim is for every child, whatever their background or their circumstances, to have the support they need to:

- Be healthy;
- Stay safe;
- Enjoy and achieve;
- Make a positive contribution and;
- Achieve economic well-being.

This means that the organisations involved with providing services to children are teaming up, sharing information and working together, to protect children and young people from harm and help them achieve what they want in life.

### Health Assessment

Every Looked After Child (LAC or CLA) must have a Health Assessment soon after becoming Looked After, then at specified intervals, depending on the child's age.

### Indefinite Leave to Remain (ILR)

When an Asylum Seeker is granted ILR, they have permission to settle in the UK permanently and can access mainstream services and benefits.

### Independent Reviewing Officer

If a Local Authority is looking after a child (whether or not the child is in their care), it must appoint an Independent Reviewing Officer (IRO) for that child's case.

From 1 April 2011, the role of the IRO is extended, and there are two separate aspects: chairing a child's Looked After Review, and monitoring a child's case on an ongoing basis. As part of the monitoring function, the IRO also has a duty to identify any areas of poor practice, including general concerns around service delivery (not just around individual children).

IROs must be qualified social workers and, whilst they can be employees of the local authority, they must not have line management responsibility for the child's case. Independent Reviewing Officers who chair Adoption Reviews must have relevant experience of adoption work.

### Independent Domestic Violence Advisor

Independent Domestic Violence Advisers (IDVA) are specialist caseworkers who focus on working predominantly with high risk victims (usually but not exclusively with female victims). They generally are involved from the point of crisis and offer intensive short to medium term support. They work in partnership with statutory and voluntary agencies and mobilise multiple resources on behalf of victims by coordinating the response of a wide range of agencies, including those working with perpetrators or children. There may be differences about how the IDVA service is delivered in local areas.

### Initial Child Protection Conference

An Initial Child Protection Conference (ICPC) is normally convened at the end of a Section 47 Enquiry when the child is assessed as either having suffered Significant Harm or to be at risk of suffering ongoing significant harm.

The Initial Child Protection Conference must be held within 15 working days of the Strategy Discussion, or the last strategy discussion if more than one has been held.

### Local Authority Designated Officer (LADO)

A designated officer (or sometimes a team of officers), who is involved in the management and oversight of allegations against people that work with children.

Their role is to give advice and guidance to employers and voluntary organisations; liaise with the Police and other agencies, and monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. The Police should also identify an officer to fill a similar role.

### Local Safeguarding Children's Board (LSCB)

LSCBs have to be established by every local authority as detailed in Section 13 of The Children Act 2004. They are made up of representatives from a range of public agencies with a common interest and with duties and responsibilities to children in their area. LSCBs have a responsibility for ensuring effective inter-agency working together to safeguard and protect children in the area. The Boards have to ensure that clear local procedures are in place to inform and assist anyone interested or as part of their professional role where they have concerns about a child.

The functions of the LSCB are set out in chapter 3 of Working Together to Safeguard Children.

See <http://southamptonlscb.co.uk/> for Southampton LSCB.

### Looked After Child

A Looked After Child is a child who is accommodated by the local authority, a child who is the subject to an Interim Care Order, full Care Order or Emergency Protection Order; or a child who is remanded by a court into local authority accommodation or Youth Detention Accommodation.

In addition where a child is placed for Adoption or the local authority is authorised to place a child for adoption - either through the making of a Placement Order or the giving of Parental Consent to Adoptive Placement - the child is a Looked After child.

Looked After Children may be placed with family members, foster carers (including relatives and friends), in Children's Homes, in Secure Accommodation or with prospective adopters.

With effect from 3 December 2012, the Legal Aid, Sentencing and Punishment of Offenders Act 2012 amended the Local Authority Social Services Act 1970 to bring children who are remanded by a court to local authority accommodation or youth detention accommodation into the definition of a Looked After Child for the purposes of the Children Act 1989.

### Neglect

Neglect is a form of Significant Harm which involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect can occur during pregnancy, or once a child is born.

### Parental Consent to Adoptive Placement

Parental consent to a child's placement for adoption under section 19 of the Adoption and Children Act 2002 must be given before a child can be placed for adoption by an adoption agency, unless a Placement Order has been made or unless the child is a baby less than 6 weeks old and the parents have signed a written agreement with the local authority. Section 19 requires that the consent must be witnessed by a CAFCASS Officer. Where a baby of less than 6 weeks old is placed on the basis of a written agreement with the parents, steps must be taken to request CAFCASS to witness parental consent as soon as the child is 6 weeks old. At the same time as consent to an adoptive placement is given, a parent may also consent in advance to the child's adoption under section 20 of the Adoption and Children Act 2002 either with any approved prospective adopters or with specific adopters identified in the Consent Form.

When giving advanced consent to adoption, the parents can also state that they do not wish to be informed when an adoption application is made in relation to the child.

### Parental Responsibility

Parental Responsibility means all the duties, powers, responsibilities and authority which a parent has by law in relation to a child. Parental Responsibility diminishes as the child acquires sufficient understanding to make his or her own decisions.

A child's mother always holds Parental Responsibility, as does the father if married to the mother.

Unmarried fathers who are registered on the child's birth certificate as the child's father on or after 1 December 2003 also automatically acquire Parental Responsibility. Otherwise, they can acquire Parental Responsibility through a formal agreement with the child's mother or through obtaining a Parental Responsibility Order under Section 4 of the Children Act 1989.

### Pathway Plan

The Pathway Plan sets out the route to the future for young people leaving the Looked After service and will state how their needs will be met in their path to independence. The plan will continue to be implemented and reviewed after they leave the looked after service at least until they are 21; and up to 25 if in education.

### Permanence Plan

Permanence for a Looked After child means achieving, within a timescale which meets the child's needs, a permanent outcome which provides security and stability to the child throughout his or her childhood. It is, therefore, the best preparation for adulthood.



Wherever possible, permanence will be achieved through a return to the parents' care or a placement within the wider family but where this cannot be achieved within a time-scale appropriate to the child's needs, plans may be made for a permanent alternative family placement, which may include Adoption or by way of a Special Guardianship Order.

By the time of the second Looked After Review, the Care Plan for each Looked After Child must contain a plan for achieving permanence for the child within a timescale that is realistic, achievable and meets the child's needs.

### Personal Education Plan

All Looked After Children must have a Personal Education Plan (PEP) which summarises the child's developmental and educational needs, short term targets, long term plans and aspirations and which contains or refers to the child's record of achievement. The child's social worker is responsible for coordinating and compiling the PEP, which should be incorporated into the child's Care Plan.

### Person Posing a Risk to Children (PPRC)

This term replaced the term of 'Schedule One Offender', previously used to describe a person who had been convicted of an offence against a child listed in Schedule One of the Children and Young Persons Act 1933.

'Person Posing a Risk to Children' takes a wider view. Home Office Circular 16/2005 included a consolidated list of offences which agencies can use to identify those who may present a risk to children. The list includes both current and repealed offences, is for guidance only and is not exhaustive - subsequent legislation will also need to be taken into account when forming an assessment of whether a person poses a risk to children. The list of offences should operate as a trigger to further assessment/review to determine if an offender should be regarded as presenting a continued risk of harm to children. There will also be cases where individuals without a conviction or caution for one of these offences may pose a risk to children.

### Placement at a Distance

Placement of a Looked After child outside the area of the responsible authority looking after the child and not within the area of any adjoining local authority.

This term was introduced with effect from 27 January 2014 by the Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013.

### Principal Social Worker - Children and Families

This role was borne out of Professor Munro's recommendations from the Munro Review of Child Protection (2011) to ensure that a senior manager in each local authority is directly involved in frontline services, advocate higher practice standards and develop organisational learning cultures, and to bridge the divide between management and the front line. It is typically held by a senior manager who also carries caseloads to ensure the authentic voice of practice is heard at decision-making tables.

### Private Fostering

A privately fostered child is a child under 16 (or 18 if disabled) who is cared for by an adult who is not a parent or close relative where the child is to be cared for in that home for 28 days or more. Close relative is defined as "a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent". A child who is Looked After by a local authority or placed in a children's home, hospital or school is excluded from the definition. In a private

fostering arrangement, the parent still holds Parental Responsibility and agrees the arrangement with the private foster carer.

A child in relation to whom the local authority receives notification from the prospective adopters that they intend to apply to the Court to adopt may have the status of a privately fostered child. The requirement to notify the local authority relates only to children who have not been placed for adoption by an adoption agency. On receiving the notification, the local authority for the area where the prospective adopters live becomes responsible for supervising the child's welfare pending the adoption and providing the Court with a report.

### Public Law Outline

The Public Law Outline: Guide to Case Management in Public Law Proceedings came into force on the 6th April 2010. An updated Public Law Outline (PLO) came into effect on 22nd April 2014, alongside the statutory 26-week time-limit for completion of care and supervision proceedings under the Children and Families Act 2014.

The Public Law Outline sets out streamlined case management procedures for dealing with public law children's cases. The aim is to identify and focus on the key issues for the child, with the aim of making the best decisions for the child within the timetable set by the Court, and avoiding the need for unnecessary evidence or hearings.

### Referral

The referring of concerns to local authority children's social care services, where the referrer believes or suspects that a child may be a Child in Need, including that he or she may be suffering, or is likely to suffer, Significant Harm. The referral should be made in accordance with the agreed LSCB procedures.

### Relevant Young People, Former Relevant, and Eligible

- **Relevant Young People** are those aged 16 or 17 who are no longer Looked After, having previously been in the category of Eligible Young People when Looked After. However, if after leaving the Looked After service, a young person returns home for a period of 6 months or more to be cared for by a parent and the return home has been formally agreed as successful, he or she will no longer be a Relevant Young Person. A young person is also Relevant if, having been looked after for three months or more, he or she is then detained after their 16th birthday either in hospital, remand centre, young offenders' institution or secure training centre. There is a duty to support relevant young people up to the age of 18, wherever they are living.
- **Former Relevant Young People** are aged 18 or above and have left care having been previously either Eligible, Relevant or both. There is a duty to consider the need to support these young people wherever they are living.
- **Eligible Young People** are young people aged 16 or 17 who have been Looked After for a period or periods totaling at least 13 weeks starting after their 14th birthday and ending at least one day after their 16th birthday, and are still Looked After. (This total does not include a series of short-term placements of up to four weeks where the child has returned to the parent.) There is a duty to support these young people up to the age of 18.

### Review Child Protection Conference

Child Protection Review Conferences (RCPC) are convened in relation to children who are already subject to a Child Protection Plan. The purpose of the Review Conference is to review the safety, health and development of the child in view of the Child Protection Plan, to ensure that the child continues to

be adequately safeguarded and to consider whether the Child Protection Plan should continue or change or whether it can be discontinued.

### Section 20

Under Section 20 of the Children Act 1989, children may be accommodated by the local authority if they have no parent or are lost or abandoned or where their parents are not able to provide them with suitable accommodation and agree to the child being accommodated. A child who is accommodated under Section 20 becomes a Looked After Child.

### Section 47 Enquiry

Under Section 47 of the Children Act 1989, if a child is taken into Police Protection, or is the subject of an Emergency Protection Order, or there are reasonable grounds to suspect that a child is suffering or is likely to suffer Significant Harm, a Section 47 Enquiry is initiated. This enables the local authority to decide whether they need to take any further action to safeguard and promote the child's welfare. This normally occurs after a Strategy Discussion.

Physical Abuse, Sexual Abuse, Emotional Abuse and Neglect are all categories of Significant Harm.

Section 47 Enquiries are usually conducted by a social worker, jointly with the Police, and must be completed within 15 days of a Strategy Discussion. Where concerns are substantiated and the child is judged to be at continued risk of Significant Harm, a Child Protection Conference should be convened.

### Separated Children

Separated Children are children and young people aged under 18 who are outside their country of origin and separated from both parents, or their previous legal/customary primary caregiver. Some will be totally alone (**unaccompanied**), while others may be accompanied into the UK e.g. by an escort; or will present as staying with a person who may identify themselves as a stranger, a member of the family or a friend of the family.

### Special Guardianship Order

Special Guardianship Order (SGO) is an order set out in the Children Act 1989, available from 30 December 2005. Special Guardianship offers a further option for children needing permanent care outside their birth family. It can offer greater security without absolute severance from the birth family as in adoption.

Special Guardianship will also provide an alternative for achieving permanence in families where adoption, for cultural or religious reasons, is not an option. Special Guardians will have Parental Responsibility for the child. A Special Guardianship Order made in relation to a Looked After Child will replace the Care Order and the Local Authority will no longer have Parental Responsibility.

### Strategy Discussion

A Strategy Discussion is normally held following an Assessment which indicates that a child has suffered or is likely to suffer Significant Harm. The purpose of a Strategy Meeting is to determine whether there are grounds for a Section 47 Enquiry.

### Statement of Special Educational Needs (SEN)

From 1 September 2014, Statements of Special Educational Needs were replaced by Education, Health and Care Plans. (The legal test of when a child or young person requires an Education, Health and Care Plan remains the same as that for a Statement under the Education Act 1996).

## Staying Put

A Staying Put arrangement is where a Former Relevant child, after ceasing to be Looked After, remains in the former foster home where they were placed immediately before they ceased to be Looked After, beyond the age of 18. The young person's first Looked After Review following his or her 16th birthday should consider whether a Staying Put arrangement should be an option.

It is the duty of the local authority to monitor the Staying Put arrangement and provide advice, assistance and support to the Former Relevant child and the former foster parent with a view to maintaining the Staying Put arrangement (this must include financial support), until the child reaches the age of 21 (unless the local authority consider that the Staying Put arrangement is not consistent with the child's welfare).

## Unaccompanied Asylum Seeker

A child or young person under the age of 18 who has been forced or compelled to leave their home country as a result of major conflict resulting in social breakdown or to escape human rights abuse. They will have no adult in the UK exercising Parental Responsibility.

## Virtual School Head

Section 99 of the Children and Families Act 2014 imposes upon local authorities a requirement to appoint an officer to promote the educational achievement of Looked After children - sometimes referred to as a 'Virtual School Head'.

## Working Together to Safeguard Children

Working Together to Safeguard Children is a Government publication which sets out detailed guidance about the role, function and composition of Local Safeguarding Children Boards (LSCBs), the roles and responsibilities of their member agencies in safeguarding children within their areas and the actions that should be taken where there are concerns that children have suffered or are at risk of suffering Significant Harm.

## Young Offender Institution (YOI)

The Youth Justice Board (YJB) is responsible for the commissioning and purchasing of all secure accommodation for under 18-year-olds ('juveniles'), whether sentenced or on remand. Young offender institutions (YOIs) are run by the Prison Service (except where contracted out) and cater for 15-20 year-olds, but within YOIs the Youth Justice Board has purchased discrete accommodation for juveniles where the regimes are specially designed to meet their needs. Juvenile units in YOIs are for 15-17 year-old boys and 17-year-old girls.

## Youth Offending Service or Team

Youth Offending Service or Team (YOS or YOT) is the service which brings together staff from Children's Social care, the Police, Probation, Education and Health Authorities to work together to keep young people aged 10 to 17 out of custody. They are monitored and co-ordinated nationally by the Youth Justice Board (YJB).

## Sources

Tri.x live online glossary: <http://trixresources.proceduresonline.com/> - a free resource, available to all which provides up to date keyword definitions and details about national agencies and organisations.

Southampton Local Safeguarding Board <http://southamptonlscb.co.uk/>